

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
Civil Action No.: 3:12-CV-540-MOC-DSC**

FORREST TRAVIS COSTON,)
)
 Plaintiff,)
)
 v.)
)
 UNIVERSITY OF NORTH)
 CAROLINA AT CHARLOTTE,)
)
 Defendant.)

ORDER

THIS MATTER is before the Court on Defendant's "Motion to Dismiss " (document #4) filed September 24, 2012, Plaintiff's "Motion to Amend Complaint" (document #8) filed October 22, 2012, and the parties' associated briefs and exhibits. See documents ##5, 9, 10 and 11.

This matter was referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636, and this Motion is now ripe for consideration.

For the reasons stated in the Motion to Amend Complaint and supporting briefs, the Court grants Plaintiff leave to file his Amended Complaint.

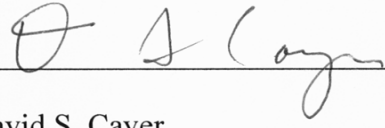
It is well settled that an amended pleading supersedes the original pleading, and that motions directed at superseded pleadings will be denied as moot. Young v. City of Mount Ranier, 238 F. 3d 567, 573 (4th Cir. 2001) (amended pleading renders original pleading of no effect); Turner v. Kight, 192 F. Supp. 2d 391, 397 (D. Md. 2002) (denying as moot motion to dismiss original complaint on grounds that amended complaint superseded original complaint).

Accordingly, Defendant's "Motion to Dismiss" (document #4) is administratively **DENIED** as moot without prejudice.

The Clerk is directed to send copies of this Order to counsel for the parties, including but not limited to moving counsel; and to the Honorable Max O. Cogburn, Jr.

SO ORDERED.

Signed: November 19, 2012



David S. Cayer
United States Magistrate Judge 